IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

**WRIT PETITION NO : 8188 of 2004**

Between:

Srirama Muniratnam S/o Siddaiah
R/o Podalakuru Podalakur Mandal, Nellore District

**..... PETITIONER**

AND

1. The Registrar Co-operative Society Dept. of Cooperation oPP. Gandhi

Bhavan Hyderabad
2. The General Manager, NDCC Bank Ltd., Nellore
3. The Nodal Officer NDCC Bank Ltd. Podalakur Branch Nellore District
4. The Person-in-Charge/Chairman Chittaluru Primary Agricultural Co-

operative Credit Society Podalakur Mandal, Nellore District

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or Direction more particularly one in the nature of Writ of certiorari issuing Rule Nisi and call for the records inclusive of leading up to the issuance of proceedings Rc. No. PACS/SECS/4/2003-04 dated 28.01.04 of 4$^{th}$ respondent as illegal, arbitrary, without jurisdiction and violative of principles of Natural justice and quash the same.

**Counsel for the Petitioner: SMT.CHINTALAPUDI LAKSHMI KUMARI**

**Counsel for the Respondent No.1: GP FOR COOPERATION**

**Counsel for the respondent Nos.2 and 3: Mr K. Muralidhar Reddy**

**Counsel for the Respondent No.4: G.P for Agriculture**

**The Court made the following:**

**O R D E R:**

The petitioner questions the order of the 4th respondent-Person-in-charge/Chairman in placing his services under suspension temporarily for a period of six months for misappropriating certain funds of the Society.

2. I have taken a view in W.P.No.3171 of 2003 and batch, dated 30.8.2004 that no Writ lies against the society by its employees as the functions of the Cooperative Societies are not statutory in nature and the Society is not the State within the meaning of Article 12 of the Constitution of India.

3. Following the aforesaid judgment, the Writ Petition is dismissed with a liberty to the petitioner to approach the appropriate authorities for his redressal. There shall be no order as to costs.

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**V.ESWARAIAH, J**

Dated:04-11-2004,

**CCM**

To

1. The Registrar Co-operative Society Dept. of Cooperation oPP. Gandhi

Bhavan Hyderabad
2. The General Manager, NDCC Bank Ltd., Nellore
3. The Nodal Officer NDCC Bank Ltd. Podalakur Branch Nellore District
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